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UNCLAS BRASILIA 001813

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SUBJECT: BRAZIL - SECOND DEMARCHE ON ITU/WTSA VETO ISSUE

REF: (A) SECSTATE 124476, (B) BRASILIA 072

1. (U) In a July 7 meeting, EconOff made Ref A points to Luis Fernando Serra, Joao Carlos Albernaz, Bruno Carvalho Ramos, and Luiz Fernando Ferreira Silva of ANATEL (Brazil's Telecommunications Regulatory Agency and the entity here responsible for ITU issues). The GOB continues to be aligned with the USG on the veto issue as a matter of principle (see Ref B on previous demarche). ANATEL was not happy with the change in the veto procedures, Bruno reiterated, but recognizes that the decision was made in the Assembly and considers the outcome better than other proposals for even more than two countries in order to veto a decision. ANATEL, however, does not think that raising the issue with either the Telecommunication Standardization Advisory Group (TSAG) or the ITU Council is the best forum. The ANATEL representatives argued that the ITU should see what impact, if any, the change may have on ITU operations, and then, if justified, concerned countries could consider proposing a return to the previous single country veto during the next Assembly.

2. (U) Serra said that ANATEL did not agree with the four USG-proposed Council actions in Ref A, but might reluctantly agree to have the issue forwarded to a Plenipotentiary Conference for discussion. The ANATEL officials, however, see many risks in this strategy. They noted that the vote during the previous Assembly was specific to the Alternative Approval Process (AAP), but that the change could be applied more broadly during a Plenipotentiary. In addition, they noted that there is pressure, from the European Union in particular, to expand voting rights to the private sector, which the GOB opposes for two reasons: first, because the GOB sees the ITU as a governmental forum, and second, because it would dramatically increase the voting power of the "first world" where the telecommunications industry is more highly concentrated. If the USG pushes on the single country veto issue during a Plenipotentiary, however, the ANATEL officials feared that the necessary political trade-off to achieve that end would be the expansion of voting rights. The ANATEL officials also expressed concern that presenting the issue in a Plenipotentiary may backfire because the Plenipotentiary reaches decisions by voting (not consensus) and a significant number of countries supported the change in veto procedures during the Assembly.

3. (U) While acknowledging reftel points, Serra and Albernaz requested that the U.S. delegation explain precisely why the USG believes the Council is the appropriate forum to reverse the change in AAP veto procedures. The GOB delegation also wishes to discuss the risks involved in a Plenipotentiary Conference and suggested that Executive Committee of the Inter-American Telecommunication Commission (CITEL) meeting during the week may be a good opportunity for that discussion.

4. (U) The ANATEL delegation to the ITU Council meeting the week of July 11 will consist of ANATEL Director Jose Leite Pereira Filho, International Affairs Coordinator Luis Fernando Serra, and Technical Advisory Division Chief Joao Carlos Albernaz. Ramos is the Mobile Communications Standards Manager and ANATEL's lead on normalization issues at ITU. Luiz Fernando Ferreira Silva is ANATEL's General Manager of Planning and Regulation, and participated in the TSAG meetings in March.

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